

U.S. BANKRUPTCY COURT

STATE OF MINNESOTA

In Re the Bankruptcy of:
Grace I. Plaetz,
Debtor.

**NOTICE OF MOTION
AND MOTION**

Case No. 04-44118-NCD

To Whom It May Concern:

Grace I. Plaetz, the debtor in the above-entitled matter hereby submits this Notice of Motion and Motion to the United States Bankruptcy Court requesting an Order for a dismissal of her Chapter 7 Bankruptcy petition hereinbefore filed with the Bankruptcy Court on or about July 23, 2004.

The hearing of said Motion shall be held before Honorable Nancy Dreher, Judge of United States Bankruptcy Court, on October 27th, 2004 at 10:30 o'clock a.m. in the morning in Court Room 7 West in the U.S. Federal Courthouse in Minneapolis, MN, located at 300 South Fourth Street, Minneapolis, MN.

You will further take notice that this Motion is based upon the Affidavit of Grace I. Plaetz attached hereto, all of the files and records in Bankruptcy Case No. 04-44118-NCD and Sections 2002, 9006, 9013 and other relevant Bankruptcy Court Rules.

You will further take notice that any responsive papers by any party or person must be delivered and filed with the Court not later than 3 days before the time set for hearing or shall be served and filed by mail not later than 7 days before the hearing date.

Dated: September 27, 2004.



Wallace F. Gustafson
Attorney Reg. No. 38817
Attorney for Debtor, Grace I. Plaetz
328 Fifth Street SW
P.O. Box 567
Willmar, MN 56201
(320) 235-0000

U.S. BANKRUPTCY COURT

STATE OF MINNESOTA

In Re the Bankruptcy of:
Grace I. Plaetz,
Debtor.

**AFFIDAVIT OF
GRACE I. PLAETZ**

Case No. 04-44118-NCD

STATE OF MINNESOTA)
)ss.
COUNTY OF KANDIYOHI)

Grace I. Plaetz, being first duly sworn and deposes and says she resides at 4701 - 189th Avenue N.W., New London, MN 56273.

Heretofore and on July 23, 2004 she filed a Petition for Bankruptcy with the above-named Court.

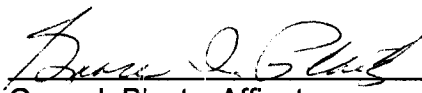
Thereafter a hearing on said matter was held before the Bankruptcy Trustee in St. Cloud, Minnesota on October 9, 2004 at 10:30 a.m.

The Petitioner has regretted that she filed a Petition for Bankruptcy; that with the assistance of friends, acquaintances and relatives, she is confident that she can negotiate and consummate a settlement with each of her creditors named in her Petition of Bankruptcy, and hence avoid and eliminate the necessity of employing these bankruptcy proceedings.

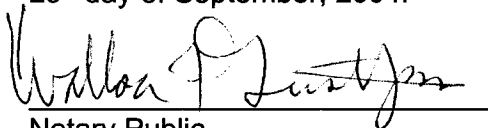
The affiant hereby requests that her Petition for Bankruptcy be dismissed.

Further your affiant saith not.

Dated: September 27, 2004.


Grace I. Plaetz, Affiant

Subscribed and sworn to before me this
29th day of September, 2004.


Notary Public

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) ss.
COUNTY OF KANDIYOHI)

Callie Funkhouser, being first duly sworn on oath states that on the 27th day of September, 2004, she mailed a copy of the attached **Notice of Motion and Motion and Affidavit of Grace I. Plaetz** to following named creditors at their last known addresses:

Bank of America
P O Box 5270
Carol Stream IL 60197-5270

Household Credit Services
P O Box 5222
Carol Stream IL 60197-5222

The Gurstel Law Firm PA
401 North Third Street #590
Minneapolis MN 55401

JC Penny
P O Box 981131
El Paso TX 79998

Beneficial Loan & Thrift Co.
138 Second Street South
Waite Park MN 56387

Providian Visa Card
c/o Providian National Bank
P O Box 660022
Dallas TX 75266-0022

Capital One Services
P O Box 60000
Seattle WA 98190-6000

Retailers National Bank
c/o Target Credit Services
P O Box 1581
Minneapolis MN 55440-1581

CITI Cards
P O Box 6405
The Lakes NV 88901-6405

Roaman's
P O Box 659728
San Antonio TX 78265-9728

Herberger's
P O Box 5211
Carol Stream IL 60197-5211

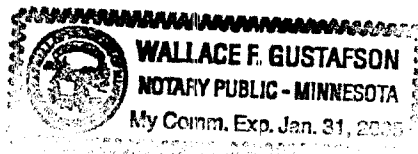
Stokes & Clinton PC
P O Box 991801
Mobile AL 36691

Said Notice of Motion and Motion and Affidavit of Grace I. Plaetz was mailed with sufficient postage thereon and was deposited in the U.S. Mails at Willmar, Minnesota 56201.


Callie Funkhouser

Subscribed and sworn to before me
this 27th day of September, 2004.


Notary Public



U.S. BANKRUPTCY COURT

STATE OF MINNESOTA

In Re the Bankruptcy of:

Grace I. Plaetz,

Debtor.

ORDER

Case No. 04-44118-NCD

WHEREAS a Petition has been filed by the above-named debtor, Grace I. Plaetz, requesting that her Petition for Bankruptcy be dismissed; and

WHEREAS the Petitioner's Notice of Motion and Motion dated September 27, 2004 came on for Hearing before the Court at 10:30 a.m. on October 27, 2004; and

WHEREAS the Court has reviewed the file, the Affidavit of Service that all the creditors have been furnished a copy of the Notice of Motion and Motion and attached Affidavit of the petitioner and the Court being fully advised in the premises, makes the following:

ORDER

The above-entitled bankruptcy proceedings of Grace I. Plaetz is hereby dismissed without costs to any party.

Dated: October 27, 2004

Honorable Nancy Dreher
Judge of U.S. Bankruptcy Court

Wallace F. Gustafson
Attorney at Law

328 Fifth Street SW
P.O. Box 567
Willmar, MN 56201

Office: (320) 235-0000
Residence: (320) 796-0000
Fax: (320) 235-0002

September 29, 2004

Office of the Bankruptcy Clerk
U.S. Courthouse
Room 301
300 South 4th Street
Minneapolis MN 55415

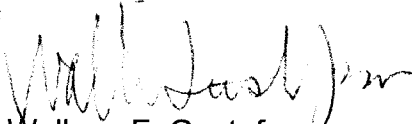
**RE: BANKRUPTCY OF GRACE I. PLAETZ
CASE No. 04-44118-NCD**

Ladies and Gentlemen:

Enclosed please find the following documents:

1. Notice of Motion and Motion
2. Affidavit of Grace I. Plaetz
3. Affidavit of Mailing of the Notice of Motion and Motion and Affidavit of Grace I. Plaetz to the creditors of Grace I. Plaetz
4. Proposed Court Order

Respectfully submitted,



Wallace F. Gustafson

WFG:cjf

Enclosures